

Appln No. 10/706,024

Amdt date October 7, 2010

Reply to Office action of June 7, 2010

REMARKS/ARGUMENTS

In the Final rejection dated June 7, 2010, the Examiner rejected claims 1-7 and 9 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner asserts that the recitation that the heating block or rod is positioned inside the shaft constitutes new matter. While Applicant disagrees, Applicant has amended the claims to remove this recitation. Accordingly, Applicant respectfully requests withdrawal of this rejection.

The Examiner also rejected claim 10 under 35 U.S.C. §103(a) as allegedly obvious over Griffin, III (U.S. Patent No. 6,144,870) in view of Houser, et al. (U.S. Patent No. 5,855,552) and evidenced by Davies, et al., "The Rate Dependence of Confor Polyurethane Foams," Cellular Polymer, vol. 18, no. 2, pgs. 117-136 (1999). However, Applicant has canceled claim 10, and amended independent claim 1 to remove elements that are not necessary for patentability and to recite sealing the *exit hole* with a sealant and *after* sealing the exit hole, sliding a ring electrode having a proximal portion comprising a flared skirt over the shaft of the catheter tip section and positioning the ring electrode directly over the circumferentially wrapped electrode lead wire. None of Griffin, Houser and Davies, either alone or in combination teach or suggest these features. Rather, Griffin states, "If desired, a conductive material, such as a conductive paste or sealant, may be applied between the metal sleeve and the catheter tubing *prior to rotationally swaging the sleeve in place.*" Column 2, lines 16-19. Neither this excerpt, nor any other passage in Griffin appears to teach or suggest sealing the *exit hole* with a sealant. Accordingly, independent claim 1 and all claims dependent therefrom, including claims 2-7, 9 and new claim 11, are allowable over Griffin, Houser and Davies.

Additionally, Applicant has added new claim 11 reciting that the sealant comprises polyurethane resin. This claims is supported at least at page 6, lines 6-9 of the specification. None of Griffin, Houser and Davies teach or suggest this feature. Indeed, Griffin appears to disclose a conductive material applied between the metal sleeve and catheter tubing prior to swaging. Accordingly, claim 10 is independently allowable over Griffin, Houser and Davies.

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Claims 1-7, 9 and 11 are now pending in this application. By this amendment, Applicant has amended claim 1 to place the claim in condition for allowance. Applicant has also amended claim 1 to clarify the scope of the claims, and has amended claims 2-7 and 9 to be consistent with the amendments to base claim 1. Finally, Applicant has added new claim 11. The amendments and new claims find full support in the original specification, claims and drawings, for example, at page 6, lines 6-9. No new matter is presented. In light of the above amendments and remarks, Applicant submits that all of pending claims 1-7, 9 and 11 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Lauren E. Schneider
Reg. No. 63,712
626/795-9900

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